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February 11, 2021

VIA ECF

Hon. Gabriel W. Gorenstein
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMORANDUM ENDORSEMENT

Re: *Urena v. 0325 Tuta Corp. (d/b/a La Gran Antillana), et al*
Case No. 20-cv-03751-GBD-GWG

Your Honor:

This office represents Plaintiff Rafael Alejandro Liriano Urena (“Plaintiff”) in the above-referenced matter. I write to respectfully request an extension of time to file Plaintiff’s Motion for a Default Judgment (“Default Motion”), the deadline for which is currently February 12, 2021. This is the first request of its kind. The reason for this request is that Plaintiff will be seeking leave to file an Amended Complaint to add Plaintiffs to the caption. Towards that end, by separate letter, Plaintiff will be requesting a pre-motion conference to file a motion to amend the complaint.

Plaintiff respectfully requests an extension of time to file the Default Motion so that he can serve Defendants with the Amended Complaint, and give Defendants an opportunity to answer or otherwise respond. If Defendants fail to do so, Plaintiff will promptly file requests for certificates of default and then proceed to file the Default Motion. If the Court grants Plaintiff leave to file an Amended Complaint, then Plaintiff will file same within one week of the Court’s decision.

For the reason set forth above, Plaintiff respectfully requests that the Court grant Plaintiff an extension of time to file the Default Motion.

Plaintiff thanks the Court for its time and attention to this matter.

Respectfully submitted,

/s/ William K. Oates
William K. Oates Esq.
Michael Faillace & Associates, P.C.
Attorneys for Plaintiff

20cv3751 Doc #44

MEMORANDUM ENDORSEMENT

The request to file an amended complaint (Docket 45) is granted. The amended complaint shall be filed on or before February 19, 2021. Any amended complaint must be served on defendants by March 19, 2021. On the assumption that plaintiff will in fact file an amended complaint, the motion for an extension of the deadline to move for a default judgment on the existing complaint is deemed moot.

If any defendant fails to timely respond to the amended complaint, plaintiffs shall (1) obtain certificate(s) of default and (2) file any motion before Judge Daniels for a default judgment in accordance with his Individual Practices within 14 days of the date when the defendants were in default.

So Ordered.

A handwritten signature in black ink, appearing to read "Gabriel W. Korenstein", is written over a horizontal line.

GABRIEL W. KORENSTEIN
United States Magistrate Judge
February 12, 2021